



**MADD**

Activism | Victim Services | Education

Gallatin County Chapter  
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On behalf of MADD of Gallatin County, we strongly urge you to support HB 595 to increase drivers license suspension and enact criminal penalties for first and multiple blood alcohol concentration (BAC) test refusals as a result of a drunk driving arrest. We believe this bill will make Montana's drunk driving laws more effective and enforceable, and as a result, save lives.

BAC test refusal is a serious problem because the BAC test is a prosecutor's best evidence in a criminal case in determining impairment – providing important evidence against those who are endangering our communities. It is essential that those who are guilty of drunk driving in Montana be found guilty. Strong sanctions resulting from a conviction may be the only way of making an offender change his or her behavior and seek assistance via sanctioned treatment and installation of ignition interlock devices. Both the Supreme Court and our own state's implied consent law indicate that BAC testing is both a legitimate and effective tool - there really is no right to refusal.

We find it very disturbing that drunk driving offenders in Montana have learned that when faced with the request to provide a BAC test, they can readily choose an option to lessen the sanctions of a drunk driving conviction (e.g., minimal license suspension). This is especially true for repeat offenders who have been through the system and know the loopholes. This is unacceptable and a gross injustice to the victims of drunk driving. Refusal to take a legal test should result in sanctions similar to those who take the test and are convicted. States with harsher sanctions for refusal tend to have lower refusal rates, and thus better prosecution, better enforcement of the law and better knowledge of the problem.

In short, we believe increasing penalties for BAC test refusal will constitute an important tool to assist law enforcement in reducing injuries and saving lives. We very much hope to hear that you have supported HB595. Thank you for your time and consideration.

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